THE VIRGINIA GAZETTE, & GENERAL ADVERTISER

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NUMBER 986.] TUESDAY, MARCH 30, 1802. [VOLUME XVI.

To the Freeholders of the Senatorial Diſtrict compoſed of the counties of Henrico, Goochland, *and* Louiſa.

FELLOW-CITIZENS,

WITH grateful acknowledgments for the honor you did me by my election as ſenator for the laſt term, and a conſciouſneſs of having diſcharged my duty to you and the commonwealth according to the beſt of my feeble abilities, I take the freedom through this medium to make known to you my willingneſs to ſerve the diſtrict for the enſuing term.—Should my former ſervices be now rewarded by your approbation, the higheſt poſſible reward, I flatter myſelf that my future conduct will be correſpondent with the true intereſt of my country and conſtituents—whilſt I remain with grateful reſpect and eſteem,

Your obt. humble ſervant,
THOMAS ROYSTER.

March 1ſt, 1802.

FOR SALE,
SHERRY WINE,

Of a ſuperior quality, in quarter caſks, for caſh, or on 60 or 90 days credit, for approved Notes.

Pickett, Pollard & Johnſton.

March 22, 1802.

Patent Balances.

THE patentee of this very uſeful invention (which unites the accuracy of ſcales to the convenience of ſteelyards) has ſent a few pair to the ſubſcriber, for ſale.

They are of different ſizes, weighing from a quarter of a pound to one hundred, from one pound to three hundred, and from ten pounds to three thouſand weight. They are found to anſwer all the purpoſes of weighing with the greateſt preciſion; inſomuch that they are uſed generally in Boſton, not only by the merchants, but at the cuſtom-houſe, and by all the public officers of the ſtate of Maſſachuſetts, their uſe being authorized by an act of that Legiſlature. From experiments made here they are found to be correct by the ſtandard, which together with their convenience muſt give them a great preference to any thing of the kind now in uſe.

E. W. ROOTES.

March 8, 1802.

Old Dare-Devil

STANDS at my houſe in Cheſterfield county on Appomatox river, fifteen miles above Peterſburg, ten from the court houſe, and will cover mares by the ſeaſon at Thirty-Five Dollars, ten of which will be remitted, if paid by the 10th of Auguſt, when the ſeaſon expires. Mares may be fed with grain at twenty-five cents per day, which muſt be paid before they are taken away.—It is needleſs to ſwell the advertiſement with his pedigree and performance, as they have been ſo often aſcertained heretofore—Undoubtedly he was as fleet a horſe as any in England in his day—as to his blood, it is from the firſt croſſes; that is, Herod and Eclipſe. Dare Devil's get ſpeaks for themſelves, as they are the beſt racers on the continent, which was made manifeſt by their run laſt fall. They won at Richmond, Peterſburg, New-Brunſwick, Hick's-Ford, Norfolk, Warrington and Tarborough, beſides at many other places. No reſponſibility for accidents.

THOMAS GOODE.

February 12, 1802.

N. B. One Dollar to the groom.

Robert & Allan Pollok & Co.

Are now receiving by the late arrivals from London, Liverpool, & Glaſgow,

A GENERAL ASSORTMENT OF

DRY GOOD,

SUITED to the preſent and approaching Seaſon, which they offer FOR SALE on moderate terms.

BUCHANAN & POLLOK,
Of Peterſburg, and
ROBERT POLLOK & Co.
Of Manchеſter,

Are alſo now opening their Supplies of
FALL AND WINTER GOODS.

Richmond, October 8, 1801.

Genesſee.

For Sale, all the Subſcriber's
MILLS, HOUSES, and improved FARMS,

In the counties of Ontario and Steuben, in the ſtate of New-York.

TO meet the views of the numerous applicants for this valuable property, and to give an opportunity of acquiring it on fair and equal terms, the ſubſcriber offers it for ſale at Public Auction, on Wedneſday the 15th day of June next, at Powell's Hotel in Geneva, on the favourable terms of one ſixth Caſh, and the remainder payable in ſix annual payments with lawful intereſt.

The mills are ſituated at Hopeton, Lyons, Sodus, Genneſſee Falls, Caledonia, Hemlock-Lake, Painted-Poſt, Bath and Caniſteo, everal of which are merchant mills, and the greater part of them are erected on the navigable waters leading to Montreal, Albany, and Baltimore.

The houſes are ſituated in Bath, Painted Poſt, Hopeton, Geneva, Lyons and Sodus, and the improved farms are in the neighbourhood of theſe towns. All of which will poſitively be ſold, except the houſe and farm occupied by the ſubſcriber, near Bath.

CHARLES WILLIAMSON.

Bath, February 1, 1802.

FOR SALE,
At firſt coſt, a northern built
COACHEE,

And a pair of HARNESS, which has never been uſed.

THE cauſe of its ſale is, that it is not ſuch a carriage as was directed. It may be ſeen, and the price known, by applying to the printer of this paper.

Richmond, March 13, 1802.

MARSHAL's SALE.

ON Thurſday the firſt day of April next, 1802, on the plantation where col. William Fleming now reſides, in the county of Cheſterfield, WILL BE SOLD, to the higheſt bidder, for Ready Money, the following property, viz.

THIRTY-TWO SLAVES;

Davy, Young Davy, Dover, Will, Toney, Harry, York, Little York, Lucy, Patty, Polly, John, London, Maria, Amy, Charles, Beckey, Spencer, Dolly, Nelly, Sam, Frederick, Jany, Bettey, William, Simon, Jemmy, Nelly, Sally, Violet, Violet, and Dick.

STOCK.

Eight Horſes, forty head of Cattle, including three yoke of Oxen; forty old Sheep, twenty-four Lambs, and twenty-five head of Hogs.

CARRIAGES.

One Coachee, one Horſe Tumbril, and one Ox Cart.

HOUSEHOLD FURNITURE.

One double keyed Harpſicord, two Dreſſing Tables, two Book Caſes, two Cloth Preſſes, one Deſk, two Dining Tables, two Side Boards, three Looking Glaſſes, three dozen Chairs, two large painted Buffets, with glaſs doors; ſix Beds and Furniture, four Carpets, one large Rum Caſe, with bottles, holding 24 gallons; and a great variety of Glaſs and China Ware, with a number of other articles too tedious to enumerate.

BOOKS.

Encyclopœdia, American edition, 18 vols. Lock's Works, complete; Moll's Geography, folio; Boerhave's Chymiſtry, Cullin's Materia Medica, Ditto Practice of Phyſic, with Rotherham's Notes, 4 vols. thirteen vols. of Pope's Works, nine vols. Plutarch's Lives, 6 vols. Rollin's Bell Letters, four vols. Cicero's Orations, three vols. Ditto Letters, three vols. Ditto Epiſtles to Atticus, two vols. Ditto Morals, two vols. Monteſque's Spirit of Laws, two vols. Sidney on Government; and a great variety of other valuable books.

The property of William Fleming, taken to ſatisfy an execution which iſſued on a judgment obtained late in the Court of the United States, for the Middle Circuit, in the Virginia Diſtrict, by Thomas Main, executor of Jonn Hyndman, who was ſurviving partner of James Buchanan and Company, againſt the ſaid William Fleming.

Among the Negroes named in this advertiſement, there are ſeveral valuable Carpenters and Houſe Servants.

The ſale will commence at eleven o'clock on the day and at the place above named, and will continue from day to day until the whole of the above property is ſold or ſo much thereof as will ſatisfy the above mentioned execution and the legal coſts.

Joſeph Scott,
Marſhal E. V. D.

Doctor Cohen,

PHYSICIAN & SURGEON,
From Hamburgh, in Germany,

STUDENT in the Hoſpital of Copenhagen for 7 years, reſpectfully informs the inhabitants of Richmond and its vicinity, that he has arrived in this city, and cures with ſpeed and perfect ſafety, the following diſeaſes, viz: Rheumatic pains, Conſumption; Fitts; Venereal Diſeaſe without the uſe of Mercury; Cancers, without cutting; Dropſy, without tapping; Tooth Ache, without drawing; and all kinds of Sores.

Dr. COHEN may be ſpoken with at Mr. ROBERT DAVIS's Tavern, near the Spout Spring, every day, from 8 o'clock in the morning until 12, and from 2 o'clock until 8, P. M. Letters from the country, (poſt paid) duly attended to.

N. B. Poor perſons cured GRATIS, provided they have a ſufficient proof of their indigence.

Richmond, March 19, 1802.

VIRGINIA, Bedford, March 5, 1802.

SIRS,

PLEASE to take notice, that at the Poſt-Office, in the town of Greenock, and Kingdom of Great Britain, on the 16th, 17th, and 18th days of Auguſt next, between the hours of 10 in the forenoon, and 4 in the afternoon, and on the two ſucceeding days, between the ſame hours, (if needful) I propoſe to take the depoſitions of one or more witneſſes; that on the 19th, 20th, and 21ſt of the ſame month, between the ſame hours, at the Poſt-Office in Glaſgow, in the ſame Kingdom, I propoſe to take the depoſitions of one or more witneſſes; and that on the 23d, 24th, and 25th days of the ſame month, between the ſame hours, (if needful) I propoſe to take the depoſitions of one or more witneſſes, in the city of London, at the Virginia Coffee-Houſe, in the ſame Kingdom, all in the ſuit which is now depending in the Circuit Court of the United States, for the diſtrict of Virginia, wherein you are Adminiſtrators and Repreſentatives of the Plaintiffs, and I am Defendant.

I am, Sirs,
Your Humble Servant,
JAMES CALLAWAY,
One of the Defendants in the ſuit, Dobſon, Delora & Walker, vs. Trents and Callaway.

Meſſrs. Mathew Dobſon, and Joſhua Dobſon, Adminiſtrators of John Dobſon, dec'd.

Wanted as a Tutor,

IN a private family, a perſon who is capable of teaching the Engliſh and Latin Languages, alſo writing and arithmetic. Such a one who can come well recommended, as to his ſobriety and good demeanor will meet with generous encouragement. Apply to the printer hereof.

Feb. 15, 1802.

Lands and Negroes
FOR SALE.

BY VIRTUE of a Deed of Truſt made to the ſubſcribers by *Benjamin Toler, Thomas Hooper,* and *Henry Toler, jun.* to ſatisfy a judgment of Henrico court, obtained by Henry S. Shore, as attorney in fact for the late houſe of William Anderſon & Co. of London, will be ſold, at Hanover court houſe, on Wedneſday the 28th day of April next, being court day, at public auction, for ready money, the five following

Tracts of Land,

Belonging to the ſaid THOMAS HOOPER, to wit:

One Tract containing eighty ſeven and a half acres, more or leſs; one other tract of 107 acres; one other tract of 50 acres; one other tract of 7 acres, and one other tract of 75 acres, more or leſs. The four firſt tracts of Land adjoin each other, and are within about three miles of Hanover-Town, in Hanover county, and adjoin the lands of William Hundley, John Haw, Thomas Green, Jeremiah Hooper, and others. The laſt mentioned tract lies in Henrico county, about 5 miles below the city of Richmond, and is the ſame which the ſaid Hooper bought of Dabney Miller. Alſo

59 Valuable Slaves,

among which are two good Blackſmiths and a Cooper.

Charles Copland,
Charles Johnſton, } Truſtees.

Richmond March 16, 1802.

Diſſolution of Partnerſhip.

THE public are hereby notified, that the Partnerſhip in Trade, formerly carried on by David Buchanan, James Dunlop, and Robert Pollok, under the firms of

BUCHANAN, DUNLOP, & Co.
In Peterſburg,
DUNLOP, POLLOK, & Co.
In Manchеſter, and
ROBERT POLLOK, & Co.
In Richmond,

Was diſſolved, on the 31ſt day of Auguſt laſt.

Mr. James Dunlop will pay and receive all debts due by and to the concern, at Peterſburg, as will Mr. Robert Pollok, thoſe at Richmond and Manchеſter.

David Buchanan,
per his Attorney in fact,
Robert Pollok.
James Dunlop.
Robert Pollok.

Peterſburg, 8th Oct. 1801.

William Temple,

Has Imported by the lateſt arrivals from London & Liverpool,

A GENERAL ASSORTMENT OF

MERCHANDIZE,

Which he will diſpoſe of low, by the PIECE OR PACKAGE.

He has alſo juſt received the following Articles, for ſale.

5 PIPES,
10 Hogſheads,
8 Qr. Caſks,
} Genuine Old Port WINE.

3 Pipes Madeira Wine;
1 Hhd. Old Antigua Rum, 4th Proof;
10 Tierces London Porter;
20 Hhds. Sugar;
50 Bags Coffee;
700 Sacks Liverpool Salt.

Richmond, Nov. 30, 1801.

Negroes for Sale.

In purſuance of a decree of the hon. the high court of chancery, in the ſuit of James Hunter's executor's againſt the repreſentatives of Robert Coleman and others, will be expoſed to ſale, at Martinſburg, in the county of Berkeley, on Monday the 22d day of March, being court day,

SUNDRY SLAVES,

The property of the late Nath. Pendleton, Eſq. dec. at auction for ready money, to ſatisfy the claim of the plaintiffs againſt the ſaid Robert Coleman and others.

Edward Smith,
Richard K. Meade,
Thomas Maſſie,
} *Commiſſioners*

Feb. 24, 1802. 34w

NOTICE.

The Subſcribers have formed a Commercial connexion, under the firm of

Long and Crews.

THEY will be principally concerned in the purchaſe of Country Produce.

Should any buſineſs be offered in their Commiſſion Line, it will meet due attention from *Thomas Crews,* reſiding in Lynchburg, and *Wil. Long,* here.

Their Office is on the ſecond ſtory above Meſſrs. ELLIS & ALLAN's Store.

Will. Long,
Thomas Crews.

Richmond, Jan. 1ſt, 1802.

ROBERT GAMBLE,

TAKES this method to inform his friends, in the Country, and the public in general.—That he is provided with a convenient WARE HOUSE, for the reception of Country Produce. Thoſe who may confide to his care, their Flour, &c. may rely on his endeavors to obtain the beſt Prices the Market will admit. His Charges will be moderate, and he flatters himſelf, his conduct will prove ſatisfactory.

Richmond, March 8, 1802. tf

Notice!

WHEREAS the Houſe of HOOPER & TOLLER has conveyed to us as Truſtees for the benefit of its Creditors the whole of its Stock and Merchandize in trade, and all its outſtanding debts: We therefore give notice to thoſe indebted to ſaid firm, that they are to make payment to us alone.

Robert Gamble,
James Brown,
Charles Macmurdo.

Richmond, 1ſt March, 1802. 4w.

Land for Sale.

FIVE Hundred Acres, adjoining the land of John Wickham, eſq. in the county of Henrico, diſtant about 10 or 11 miles from Richmond. One hundred and twenty acres are of the beſt James River low grounds, eighty acres cleared, part of which is ſecond low grounds, and three hundred acres wood land. Any perſon purchaſing, will have the privilege of ſowing wheat in the fall, and poſſeſſion given next Chriſtmas. One fourth of the purchaſe money to be paid down, one fourth in 6 months, one fourth in twelve months, and the remaining one fourth in 18 months. If this land is not ſold at private ſale before the 15th of May next, it will on that day be offered for ſale at public auction at the Eagle Tavern in the city of Richmond. Terms may be known by application to Doctor JOHN GRINGAN, in the city of Richmond.

March 24, 1802.

NOTICE!

BY virtue of a Deed of Truſt, executed by the late Francis Lockett, ſen. dec. for the purpoſe of ſecuring the payment of a debt therein mentioned, due to Mr. Robert Craig, WILL BE SOLD at public auction, for ready money, on Thurſday the 15th of April next, at the houſe where the ſaid Lockett, dec. lived,

Seven likely Negroes,

or as many of them as ſhall be ſufficient to ſatisfy the ſaid debt with the expences of ſale, &c.) The ſale will commence at 11 o'clock in the forenoon.

W. BALL,
J. HENDRICK.

Manchеſter, 24th March, 1802. [tds]

THE SUBSCRIBER

INTENDS to PRACTICE in the Court of Chancery which will be holden in Williamſburg.

Philip Norborne Nicholas.

Richmond, March 22, 1802. 4t.

Sales at Auction.

WILL BE SOLD,

ON Thurſday the firſt day of April next, by the ſubſcribers, at their Vendue Office, on a credit of 90 days, for Notes with approved ſecurity, about

230 Acres Wood Land,

within 6 miles of Richmond, on the main road leading to Bottom's Bridge. Any perſon who may wiſh to ſee the land, will pleaſe apply to Mr. Thomas Mathews.

PROSSER & MONCURE, V. M.

Richmond, March 20, 1802. tdf

NOTICE.

ALL thoſe who may have claims againſt the eſtate of Frederick Myers, deceaſed, are hereby informed that I am about to cloſe my account with the ſaid eſtate; this notice will be plead in bar againſt any claim or claims that may be brought after the 1ſt day of May next.

John Coke, Ex'or.

Williamſburg, March 19, 1802.

THE SUBSCRIBER

Will receive propoſals until the 24th of next month (April) for the execution of the

Carpenter's Work

Of the PUBLIC TOBACCO WAREHOUSE now building in this city.

John Clarke.

Richmond, March 20, 1802. 8t

THE SUBSCRIBER

HAS for Sale at his Lumber-Yard at Rockets Landing, Ranging Timber and Spruce Pine Spars, fit for making fire ladders and ſcaffolding poles; large and ſmall Scantling; Plank and Boards of different ſorts; Cypreſs and Juniper Shingles; Stone Lime, in hogſheads; Tar, in barrels; and a large quantity of Cedar Poſts.

JOHN LESTER.

Rockets Landing, 25th March, 1802.

Hampden Sidney,
January 22, 1802.

THE TRUSTEES of the College wiſh to inform the public, that the buildings are in good repair for the reception of Students; and that the Rev. Archibald Alexander, who ſome months ago gave up the charge of the College as Preſident, has conſented to return, and has been re-appointed to that office. 4w

HOUSE of REPRESENTATIVES OF THE UNITED STATES.

February 18.

Debate on the bill received from the Senate, entitled "An act to repeal certain acts respecting the organization of the courts of the United States."

(CONTINUED.)

[*Mr.* GILES's *Speech continued from our last.*]

In the 9th section of the 1st article of the constitution, are these words: "No money shall be drawn from the Treasury but in consequence of appropriations made by law." In the same section, "No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them, shall, without the consent of congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince, or foreign state." If then services rendered for the public benefit, be the essential consideration, upon which the compensation does accrue to the judges; if the congress be the proper tribunal for pronouncing upon the necessity & utility of such service, and if they decide that no such service is necessary or useful; the judge sustains no injury in not receiving the compensation; because he does not comply with the condition on his part, nor does he sustain a hardship thereby; because it must be presumed that he understood the conditions attached to his office at the time of his acceptance. It has been admitted by all gentlemen that congress is the constitutional tribunal for deciding, respecting the services to be performed. They admit that congress may modify the courts, diminish or add to their duties, alter the terms of their sessions, or make any other arrangements respecting them, which do not go to take away or diminish their compensations. It is to be observed that there is not one of these powers specified in the constitution, they are therefore necessary inferences from the paramount power, "to ordain and establish," and the power of repeal, or to take away all the services to be performed, is as necessary an inference as either of the others, and has uniformly resulted from every other specified power in the constitution. From this part of the sentence, it is deducible, that the only restraint upon the general power given to congress in the first part of the section to ordain and establish courts, is that the compensations of the judges, should not be lessened *during their continuance in office—not during their good behaviour*. And in this part of the sentence the correct phraseology of the constitution is worthy of observation. In speaking of the executive attribute, (to wit) the appointing and commissioning officers, the term *good behaviour* is used. In speaking of the legislative attribute, (to wit) the creation of offices and fixing compensations, the term *during their continuance in office* is used. The reason for this variation of expression is obvious. It was known that the office might be *discontinued* and the judge continue to behave well, the limitation was therefore applied to the office, and not the good behaviour, because if the office should be discontinued, which is clearly implied in this expression, it was not the intention of the constitution that the compensation should be received, no service in that event being to be rendered.—From this interpretation of the constitution all the departments are preserved in the due exercise of their respective functions for the general good, without any of the mischievous and absurd consequences resulting from the opposite construction. It is admitted that the first part of this section expressly vests congress with the general power to ordain and establish courts; and if there had been no other restriction, the consequent power to unordain, or abolish. The restriction relied upon is not a restriction in express words; there are no words in the constitution, prohibiting congress from repealing a law for organizing courts. The restraint contended for therefore, is by implication, and that implication to say the least, not expressly connected with any legislative attribute. Is it right? Is it a correct interpretation? That when a power is given in express words for the most important purposes, that it should be restrained or prohibited by implication? Can so much inattention and folly be attributed to the framers of the constitution, as would result from the supposition, that if it was their intention that a law growing out of one of the specified powers, in contradistinction to all others, should be irrepealable when once passed, that so extraordinary a principle would be left to mere implication? Such a supposition would be the highest injustice to the superior intelligence and patriotism of those gentlemen, manifested in every other part of the instrument—No, sir. They would have made notes of admiration. They would have used every mark, adopted every caution, to have arrested and fixed the attention of the legislature to so extraordinary a principle.

They would have said, legislators! Be circumspect! Be cautious! Be calm! Be deliberate! Be wise! Be wise not only for the present; but be wise for posterity! You are now about to tread upon holy ground. The law you are now about to pass, is irrepealable! irrevocable! We are so enamoured with the salutary and practicable independence of the English judiciary system, that in infusing its principle into our constitution, we have stamped it with the proverbial folly of the Medes and the Persians! If this principle had been introduced into the constitution in express words, it would have formed an unfortunate contrast to all other parts of the instrument; yet gentlemen make no difficulty in introducing that principle by construction, which would have appeared so stupid and absurd if written in express words in the body of the instrument. But there is no such language in the constitution. Let us see what is the language of that instrument. "The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as congress may from time to time, ordain and establish." Here then instead of cautioning the legislature that a law for the organization of courts when passed, can never be repealed, it contains an intimation, that the subject is new and difficult, and an injunction to ordain and establish your courts from time to time, according to the results, which an experience of the system alone could suggest. The gentleman from Pennsylvania, (Mr. Hemphill) observed that the character of irrepealability was not exclusively attached to this law, and attempted to furnish instances of other laws of the same character. He instanced a law for the admission of a new state into the union.

The gentleman from Kentucky (Mr. Davis) had given a proper reply to that remark; the strongest instance the gentleman gave, was of a law executed; after the new state is admitted into the union, in virtue of a law for that pupose, the object of the law is answered. The state admitted has no stipulated duties to perform on its part, no services to render; in the case before the committee the law is in a state of execution, and the judges have services to render, on their part, which the competent tribunals may determine, to be neither useful nor necessary. A law for the appropriation of money, to a given object, may be adduced as an instance; the money is applied; its object is answered; the law may be said to be irrepealable, or in other words, the repeal would produce no effect. That is not the case of the law in question. Mr. G. said, he had no doubt but that the framers of the constitution had particular reference to the British act of parliament of William the 3d, for the establishment of the independence of the judges in that country, in framing the section for the establishment of the judicial department in the United States; and it is not a little remarkable, that whilst gentlemen in one breath speak of the independence of the English judges, as the boast and glory of that nation, in the next breath they tell us, that by the repeal of the present act, the independence of the judges here would be immolated. Let this subject be examined. In the 3d chapter of the first book of Blackstone's commentaries, the independence of the English judiciary is fully explained. He begged to read the exposition of that commentator on that subject.

"And, in order to maintain both the dignity and independence of the judges in the superior courts, it is enacted by the statute, 13 W. III. c. 2, that their commissions shall be made (not as formerly *durante bene placito*, but) *qu amdiu bene se gesserint*, and their salares ascertained and established; but that it may be lawful to remove them on the address of both houses of parliament. And now by the noble improvements of that law in the statute of Geo. III. c. 23, enacted at the earnest recommendation of the king himself from the throne, the judges are continued in their offices during their good behaviour, notwithstanding any demise of the crown, which was formerly held immediately to vacate their seats, and their full salaries are absolutely secured to them during the continuance of their commissions; his majesty having been pleased to declare, that 'he looked upon the independence 'and uprightness of the judges, as 'essential to the impartial administration of justice; as one of the best 'securities of the rights and liberties 'of his subjects; and as the most 'conducive to the honor of the 'crown.'

Now, Sir, under the doctrine contended for by the repeal of this law, let us see whether the judges of the United States are not more independent than the judges of England—In the first place congress have the power of originating, abolishing, modifying, &c. the courts here. The parliament in England have the same power there. Congress cannot remove a judicial officer, from his office so long as the office itself is deemed useful, except by impeachment, two thirds of the senate being necessary to a conviction. In England judges can be removed from their offices, although the offices may be deemed useful, by an address of a majority of the two houses of parliament. Here then is one essential advantage in favor of the independence of the judges of the United States. Congress cannot diminish the compensation of the judges here during their continuance in office. In England the parliament may diminish the compensation of the judges at their discretion, during their continuance in office. Here then is another obvious advantage in favor of the independence of the judges, of the United States, whence is it then, that we hear of the independence of the English judiciary, as being the boast and glory of that country, and with justice too, and at the same time, hear the cry of the immolation of the independence of the judges of the United States; when under the interpretation of the constitution by the favourers of the repeal, the judges here are more independent than the English judges? It can have no other object than to excite a popular clamor, which, if excited at all, can have only a momentary effect, and will be dissipated as soon as the subject shall be thoroughly examined and understood. But it appeared to him, that if gentlemen really do value the independence of the judges, they have taken an unfortunate ground in the interpretation of the constitution. Under their construction the judges may be placed not only in a dependent, but a ludicrous point of view. Gentlemen admit that congress may constitutionally increase or diminish the duties of the judges: give or take away jurisdiction; fix the times of holding courts, &c. saving therefrom the salaries of the judges. Under this commission, congress may postpone the sessions of the courts for eight or ten years, and establish others, to whom they could transfer all the powers of the existing courts. In this case, the judges would be held up to the people as pensioners receiving their money and rendering no service in return; or congress might convert them into mere courts of piepoudre, assigning them the most paltry duties to perform, and keep them continually in session, in inconvenient places: whilst new courts could be erected to perform all the essential business of the nation. This would be taking down the high pretensions assigned to the judges by the gentleman from N. Carolina (Mr. Henderson) of being formed into a permanent corps for the purpose of protecting the people against their worst enemies—themselves; and degrading them into pitiful courts of piepoudre, rendering little service and receiving large compensations. And this would be the case, if party purposes were the object, and not the general good. According to his construction, these absurd results could not take place, unless by a virtual breach of the constitution. Because, he contended, that service and compensation were correlative terms; and that there ought always to be a due apportionment of service to compensation. This he considered as the plain and sound interpretation of the constitution, and the moment it is departed from, infinite absurdities ensue. He intended to have taken another view of this subject as it respects the relative influence of the law of the last session, and the proposed repeal upon this question; but the gentleman from Massachusetts (Mr. Bacon) has put this subject in a much stronger point of view than he could do, that he would refer to his remarks thereupon, observing only that he had no doubt but that the law of the last session, now proposed to be repealed, was in every respect as much opposed to the doctrine of the gentlemen, as the contemplated repeal could be. The sections of the law particularly alluded to, are the 24th, in these words, 'and be it further enacted, That the district courts of the United States, in and for the districts of Tennessee and Kentucky, shall be, and are hereby abolished; and the 27th, in these words—'And be it further enacted, That the circuit courts of the United States heretofore established, shall cease and be abolished.'

He said he would now examine some of the consequences of the doctrine against the repeal, and see if it can be recommended from that consideration. First as it respects the judicial department. Its first effect is to produce a perpetual increase of judges and salaries, without any practicable mode of reducing them. This is inconsistent both with the general sentiment of the people and the constitution, that requires that no compensation shall be received, without an equivalent service rendered.

The gentleman from Pennsylvania supposes that there would be as much danger that a corrupt legislature would give an enormous sum, say 200,000 dollars to one judge, as to increase too great a number of judges, Yet he says the legislature is restrained in express words from lessening the salary and infers from that circumstance, that it is also restrained from lessening the number of offices. Mr. G. made from it, the direct contrary inference. If there be neither a power to lessen the sum nor abolish the office, there is no remedy for the evil the gentleman suggests. It is an incurable mischief. There is therefore a necessity for a power to abolish the office, as a remedy against the enormous abuse of giving so large a sum without the rendition of equivalent service. And as express words were deemed necessary to limit the discretion of congress against the abolition of unnecessary offices.

Mr. G. said, that according to a sound rule of interpretation, where a general grant of power is made, and one limitation to the general power, is expressed—the expression of that limitation is an exclusion of all intention to make any other limitation whatever, by inference or implication. And this rule will apply to all other cases put by gentlemen, where there is an express limitation of legislative authority. But the most important consequence from this doctrine is, that it erects the judges into a body politic, and corporate in perpetual succession, with censorial, and controling powers, over the other departments—And for what purpose? The gentleman from North Carolina (Mr. Henderson) has informed us, 'to protect the people against their worst enemies'—themselves! This is the real exposition of the object in very few but emphatical words. As the inducement to the adoption of this principle, gentlemen have reminded us of the fate of a foreign country, of the violent passions which agitate popular assemblies, of the age, experience, the unassuming talents and unambitious virtue of judges.—He said the judges were selected from their fellow citizens, and he presumed, possessed the same human propensities. He said all men love power, and in general, those love it best who know best how to use it.—Let us apply this remark to the judges of the United States.

Very shortly after the establishment of the courts, the judges decided that they had jurisdiction over the states in their sovereign capacity. Did this, in the judges seem unambitious? The states thought it did not. It happened that during the revolutionary war, the state of Massachusetts had issued certain obligatory bills, which were made transferable, and which were outstanding without any provision for their payment—suits were instituted on these bills—the court determined to bring the great state of Massachusetts and not Virginia, on its knees, not at the feet of justice, but policy. Upon the representation of Massachusetts, an amendment was made to the constitution of the United States declaring that the constitution should not be construed to extend to authorising the courts to arraign and pronounce judgment against states which had not consented to give up their sovereignty. Thus this unambitious project of the judges was prostrated by a constitutional interposition.

He read the amendment in the following words—'the judicial power of the United States, shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.' The judges have determined that they are judges in the last resort upon the constitutionality of your laws. He proposed not to discuss this question, because he did not think it pertinent to the question before us. He only mentioned it to shew their unlimited claims to power. The judges have determined that their jurisdiction extends to the *lex non scripta*, or rather to the *lex non descripta*, or common law. Does this in the judges seem unambitious? This law pervades the whole municipal regulations of the country. It is unlimited in its object, and indefinite in its character. Legalize this unassuming claim of jurisdiction by the judges, and they have before them every object of legislation. They have sent a mandatory process, or process leading to a mandamus, into the executive cabinet, to examine its concerns. Does this in the judges seem unambitious? Now, sir, examine and combine the extraordinary pretensions to power, legalize them, and you have precisely that body politic and corporate which gentlemen deem so important in the United States, 'to protect the people from their worst enemies—themselves!' (Mr. Henderson, of North Carolina.) He said, he should not resort so frequently to this expression but that he did consider it as the candid and correct exposition of the object of gentlemen opposed to the repeal. It was the doctrine of irresponsibility against the doctrine of responsibility. The latter, he had endeavoured to show, characterised the constitution of the United States. It was the doctrine of despotism, in opposition to the representative system. It was an express avowal, that the people were incompetent to govern themselves. This he believed to have been the great characteristic difference from the commencement of the administration of the government to the present day. If indeed there be a political corps necessary to interpose between the people, and themselves, he considered the judiciary corps supported by the doctrines on this floor, well calculated to effect that object.

He said he would now examine the consequence of the doctrine against the repeal, as it respected the legislature. He said it would have a direct tendency to impair the responsibility of the representatives to the people. He could not illustrate this observation better than by giving the history of the law proposed to be repealed.

The first bill for changing the organization of the courts of the United States, was reported to the house of representatives the 11th March, 1800, after undergoing some discussion and amendment, it was recommitted and reported against the 31st of March, 1800; on the 14th of April it was postponed by a majority of two votes. At this time the presidential election was approaching, and the result uncertain. The bill upon which the law in question was founded, was reported to the house of representa-

tives the 19th December, 1800, and passed that house the 20th January, 1801. It was read in the senate the 21st January, 1801, and passed the 7th of February, 1801. At this time the presidential election, so far as it respected the then existing president, was ascertained.

(Remainder of Mr. Giles's speech in our next.)

NEW-YORK, March 19.

The latest Foreign Intelligence.

Translated for the Mercantile Advertiser, from French papers to the 1st Feb.

FRENCH REPUBLIC.

PARIS, January 25.

Letters from Basle represent the affairs of Valais and Frickthal as being settled. The latter Canton will be ceded to Switzerland in exchange for the Valais, which will remain united to France. According to the same letters, the fate of the countries of Neufchatel and Vallengin has been, notwithstanding what other reports have said to the contrary, settled between the French government and the king of Prussia; but the convention concluded to that effect will not be executed until the moment when the Prussian troops shall have taken possession of the countries which are to serve to indemnify his Prussian majesty for his losses on the right bank of the Rhine.

27th.—It is said the first consul will not arrive in Paris before the 30th. Nothing of the result of the deliberations of the Consulta, has yet transpired. It is supposed they will first be published at Milan, when the Cisalpine deputies have returned.

Brussels, 23d January.

We learn, from the Isle of Walcherin that the French frigates Carmagnole and Incorruptible, both of 44 guns, armed and equipped in the port of Flessingue, will soon sail for St. Domingo. They will, it is believed, carry some further detachments of troops. A small squadron is also preparing in the ports of the Batavian Republic; its destination will be for Demerara and other Dutch West-India Islands, in order to retake possession of the same, immediately after the conclusion of the definitive treaty between France and her allies on one part, and England on the other. The armed squadron in the Texel, has, or was to put to sea, two days ago, for Batavia.

Letters from Semlin and Altgradisca mention, that the towns and villages situated on the Danube and the Salve, are inundated by the overflowing of these two rivers.

The overflowing of the Rhine, from Basle to Rastadt, has done great damages on the right bank; but not so much so, however, as have been experienced on the left.

Lyons, January 16.

Yesterday numerous deputations from the departments of Leman, Decome and L'Ain, preceded by the Prefects, were presented to the first consul, who appeared extremely moved at this eagerness of the citizens, who flock hither from all parts to see him, without calculating the length of the way, or the severity of the weather.

17th.—The river Saone is frozen; that of Rhone will soon be so. Notwithstanding the excessive cold, deputations are continually arriving; those of the departments of Loire Saone-et-Loire, and Ardeche, have been presented this morning to the first consul.

21st.—The city of Lyons has some similarity to ancient Rome, when the capital of the world. There are at this moment deputies from all parts of Italy, men of every nation, and magistrates from all the departments, who have come hither to compliment the first consul. He has successively received all the deputations that have come to offer their homage to the restorer of France, and the pacificator of Europe.

This is the discourse addressed to the first consul, by citizen Latelier, in the name of the deputation from Bourdeaux:

"The civil and military authorities of the department of Gironde, and the public functionaries of the city of Bourdeaux, To the first consul of the French republic.

"Bourdeaux, January 6.

"General Consul,

"Lyons enjoys your presence. Bourdeaux aspires to the same happiness. Accomplish that of the Cisalpine, and come to heighten the wishes of the inhabitants of Gironde, before, you favor those of the Parisians. You will see a department that owes to you with all France, the return of its commerce and of its prosperity. If gratitude towards you, general consul, is a duty from every Frenchman, how much more your presence amongst us must increase our satisfaction, and embellish our testimonies of respect, esteem, and affection!

"The public functionaries, the organs of the department of Gironde and of the city of Bourdeaux, know too well how to feel, to be able to express themselves lengthily. Their pen transmits you their wish, general consul; but it leaves to their heart the care of proportioning gratitude to kindness.

"We respectfully salute you."

[*Here follows a great number of signatures.*]

The First Consul has expressed his sensibility for the marks of attachment shewn to him by the city of Bourdeaux, and has announced that it was his intention to visit, as soon as circumstances would permit him, the different parts of the Republic, but particularly the city of Bourdeaux. He afterwards conferred with the deputies on the subject of maritime commerce, and upon the approaching prosperity of their important city.

The Cisalpine Consulta has had this morning a general sitting.

The First Consul has been busily employed this morning with the three members of the committee of commerce from the Cisalpine Consulta. After which he has had a conference with the minister of the Interior, the counsellor of State Cretet, and four Prefects of departments, which was not closed till very late at night.

The minister for the Home department, by an arrete of the 19th inst. has established a council of Commerce of which he has fixed the number of members at 32. This council is divided into three sections, that of commerce, manufactures, and arts and agriculture.

The First Consul will pass in review on the 25th, the 18th, 23d, and 75th demi-brigades of the line, and the 2d and 11th of light troops, arriving from Egypt.

LONDON, January 15.

The archbishop of Aix and the bishop of Escares set off from London yesterday for Paris by the way of Dover and Calais. The three other prelates now in London, who have given in their resignations will follow in a fortnight—these are the archbishop of Bordeaux and the bishops of Troyes and Commenges. All these ecclesiastics intended to have remained till the publication of the Concordat, but they were strongly solicited by the Papal legate, who got Monseigneur Erskine to write to them concerning the utility of their presence towards the arrangements of all differences At the same time they were informed that the French government had sent orders to Calais to facilitate their journey. Relative to the 13 other prelates who have not resigned, they had a meeting yesterday to consider of another letter to the Pope, but came to no decision, though the most part seems strongly inclined to comply with the demand of Pius VII; the great objection being now removed, viz. the fear of seeing the Gallican church entirely deprived of pastoral care, the Pope having by letter given power to the grand Vicars to supply the place of the bishops *per interim*. A final and satisfactory arrangement; it is therefore probable it will speedily take place.

A letter received, dated Dec. 1, 1801, from a respectable commercial house at Legnorn, states, that when a British frigate brought the account of the preliminaries of peace being signed, the whole city was in a tumult of joy. The French general invited the captain and officers of the frigate to dine with him, and carried them to the theatre in the evening, to convince the people the news was true. The audience on the entrance of the British officers, testified their joy by very loud applause, and appeared to look on them as superior beings. Another frigate anchored in the roads, and the British officers passing the villa of Ardezo, the seat of the writer of the letter to Plymouth, were received by the Italians with great shouts of joy, as they went to visit the Madona of Montenere. Provisions during the war, at and near Leghorn, though so plentiful a country, have been four times as dear as usual. Remain in Cawsand Bay, the St. Josef, of 112 guns; the Impeteaux, of 84 guns; Mars, of 74 guns, rear admiral Thornborough; Robust, of 74 guns; and Royal George, of 110 guns. The first and last ships are to be paid this day, and the Robust on Thursday.

By letters from Brest, dated the 28th ult. brought to Plymouth, by the John Castel, capt. Singleton, it appears that one of the French 74 gun ships which sailed on the St. Domingo expedition, had returned there dismasted in a violent gale of wind. Each ship of the line had on board 750 seamen and 800 soldiers.

January 16.

Five of the state prisoners, lately confined at Fort George, viz. Dr. Jackson, and Messrs. Tennant, Sims, Double, and Hunter, arrived at Greenock in the evening of Saturday last, accompanied by Mr. Sylvester, the king's messenger; and on Sunday morning they were sent on board the Hazard sloop of war, which immediately set sail for Ireland.

Such is the intensity of the present frost, that the Thames appears at high water to be almost a sheet of ice; and the way through London Bridge at such time is impassable.

Letters from Amsterdam, of the 28th of last month, state that the house of Mr. Hope is to be re-established on its former footing in that city.

The present stagnation of commerce is not peculiar to England; it is general, and arises chiefly from the very sudden change which the preliminaries of peace made on almost every article of trade, attended with a degree of uncertainty as to the ultimate ratification of the peace.

A cause, exhibiting a curious species of assault, is likely soon to make its way into the courts. A gentleman, found of electrical experiments, finding his Taylor very troublesome in his *dunning* visits, passed a wire from the rod of his machine to the knocker of his door, and several small wires under the door; it being necessary for conveying the electrical shock that there should be two points of contract. Observing the Taylor last week coming up the stairs to his lodging room, he locked the door, and set his machine in motion.—*Stay-tape* knocked, when he instantly received a violent shock. His surprise was so great, that, making more haste down stairs than he attended, he fell, and bruised himself very considerably. Having since been informed by a philosophical acquaintance, that there was no supernatural agency in the case, the Taylor has determined to bring his action for the bruises he received, his lawyer being of opinion that the gentleman may be *electrified in* Westminster-hall.

PARIS, January 19.

The winter in Europe has been uncommonly severe; in some places the fruit-trees have been destroyed, and many persons have perished. It has put a stop to labour, and the wretchedness of the poor in consequence has been greatly increased.—There are 100,000 indigent persons in Paris, of which number only 5,000 receive benefit from the soup establishment.

January 21.

"They write from Amiens, under date of the 16th inst. that Lord Broome, son of Marquis Cornwallis, is expected to return from London where it is said, he has carried the project of the Definitive Treaty.

"Many people are extremely impatient for the signing of the Definitive Treaty; and yesterday a report was in circulation that it had received the formal ratification of the King, and has been carried to France to receive that of the first Consul. They report also, that Lord Hervey sec. of Lord Hawkesbury, was going to Amiens charged with important explanations on several points which have occasioned delays in the progress of the negociation. We hope his powers will be sufficiently extensive for settling all differences and bring this important business to a speedy conclusion.

"According to letters from Cadiz, it appears that Admiral Linois has received orders to sail for the West-Indies with the squadron under his command, to co-operate with the expedition to St. Domingo."

BREST, January 21.

The Batavian division being repaired and provisioned, will shortly sail for its destination.

"Le Zele and Le Tourville, will soon be ready to put to sea. It is said, two more ships will be equipped, Le Fougeux and Le Redoutable.

"Letters from Toulon, received yesterday, mention that Admiral Gantheaume's squadron will speedily depart; his division is now anchored in the great road, only waiting a favourable wind to set sail—each ship carries from 4 to 500 troops.

STUTGARD, January 17.

The news respecting the assassination of the Pacha of Belgrade is confirmed. The Janisaries have divided his treasures amongst them, have respected his Haram, and chosen their chief for Governor of the town.—These troubles have engaged the court of Vienna to collect some troops in the neighbourhood of Semlin, to protect the hereditary States.

PHILADELPHIA, March 19.

From Cape Francois.

Arrived this morning, the brig Mentor capt. Girard, from Cape-Francois, which place he left on the 22d ult.

We have conversed with a gentleman passenger in the Mentor, from whom we learn, that no particular accounts of the military operations in the interior had been received at the Cape at the time of his departure. Several skirmishes had taken place; and the report, which we recently stated, of several thousands of the blacks being killed in an engagement, was in currency; but nothing official or authentic on the subject had transpired. It seems, that with a view to conciliate his enemy, the French general had given permission to Toussaint's sons to depart and see their father, with liberty either to remain with him or return to the protection of the French. The forces which arrived at the Cape, were supposed not to exceed 15,000, nearly one half of whom had sailed round to different points in the Island.

On the morning of the Mentor's sailing an Embargo was laid on all American vessels, by order of the French admiral; in consequence, it is said, of a quantity of specie being found on board one in the habor, which it was supposed, had been clandestinely taken from the town during the confusion of the 4th ult.

The ship America, Craig, of and for this port, sailed from the Cape the day before the Mentor.

The Virginia Gazette.

—RICHMOND—

TUESDAY, MARCH 30, 1802.

We intended to have published in this day's paper, some strictures on the Post-Master General, which appeared in the Recorder of last Saturday, but for want of time and room, they are postponed.

The Philadelphia Gazette of the 22d inst. says—"We understand that Commodore TRUXTON has resigned his office in the navy of the United States.

We are indebted to the politeness of a French gentleman in this city, for the following interesting intelligence, for the authenticity of which we feel authorised to vouch:—

On the 21st ult. Toussaint sent a deputation to Gen. Le Clerc, requiring him to deliver all the money and cloathing found at Port Republic, which he alledged, rightfully belonged to his people.

General Leclerc peremptorily rejected the demand, and summoned Toussaint to surrender within three days. A second deputation was sent, and brought with them a petition, signed by all the white inhabitants from every quarter, who were in Toussaint's possession, praying Gen. Leclerc to pay attention to the many and great services hitherto rendered to the Colony by the "virtuous Toussaint."—"Virtuous Toussaint!" exclaimed Gen. Le Clerc, "people, why will you be deluded by a villain who has deceived France and all Europe; and who now wishes to deceive me; but in which he will be deceived? Go tell him, that there is now no grace for him: in a few days I will make him a public and ignominious spectacle. Virtuous Toussaint indeed! When he himself, not four months ago instigated Moyes to murder the whites, and then, after a mock trial, shot the instrument of his own guilt, because he saw in him a dangerous rival.

Gen. Le Clerc, turning to his troops, thus addressed them:

Soldiers,

The government of France has sent us here to protect the inhabitants, to establish order, and to preserve to them the colony of St. Domingo. The rebellion of Toussaint is evident. The campaign against the rebels will be instantly opened. Be provident of your provisions and ammunition (70 catridges had just been distributed to each man.) Against such brigands, we need only use the bayonet.—In six weeks, the Colony will be ours.

[*Phila. Gaz.*]

Lately, when French, Spanish, Portiguese, Irish, and Rigaud culprits were placed at the bar of the Supreme Court, in this town a bye-stander, after surveying the respectable groupe, exclaimed, here at last, oppressed Humanity shall find an asylum. (*Palladium.*)

Our army is to be less and our navy nothing; our Secretaries are to be aliens and our Judges as independent as spaniels. In this way we are to save every thing, but our reputation and our rights. The Congress battalion is to be filled up to 156. Then, while we lose every thing else, it is clear we are not to save our money. Fifty new Representatives will cost more than sixteen judges. (*Ibid.*)

A London paper of the 10th January, says, "The difficulties which occasioned the rupture in the progress of the commissioners of this country and the United States of America, appointed to decide on the respective claims made by the individuals of the two countries, are happily removed.

"The government of the United States have agreed to pay a specific sum to the British government, which we understand to be £. 200,000, and which is to satisfy all the old long pending claims, by British subjects on the individuals of that country.—British claimants have now, therefore, to apply for restitution to their own government. The American claimants, also, for the captures by British cruizers are, by the present adjustment, allowed to proceed as provided by the last Commercial Treaty between the two countries, and justice will therefore be rendered them, on only substantiating their losses.

"The demands made by the British subjects on the United States was above a million sterling. As that government is now released by paying only two hundred thousand pounds, it is conceived that the bargain is very favourable to America."

[We have extracted the following important document from the Paris *Journal des Debats*, of the 17th of January. It establishes the fact, that Spain has ceded Louisiana to the French.]

(*Nat. Intelligencer.*)

MADRID, 16th December, 1801.

TREATY,

Signed at Madrid, 21st March, 1801, by the Prince of Peace, and Lucien Buonaparte.

The first consul of the French republic and his Catholic majesty, desirous of permanently determining the states which the son of the Infant of Parma shall receive as an equivalent for the Duchy of Parma, have agreed to the following articles, and have named as plenipotentiaries, by the first consul, Lucien Buonaparte, ambassador from the French republic, and by his Catholic majesty, the Prince of Peace, who have determined on the following articles:

Art. I. The reigning Duke of Parma forever renounces both for himself and heirs, the Duchy of Parma, with all its dependencies, in favour of the French republic; the renunciation of which shall be guaranteed by his Catholic majesty. The Grand Duchy of Tuscany, which the Grand Duke also renounces, the cession of which is guaranteed by the Emperor of Germany, shall be given to the son of the Duke of Parma, as an indemnification for the countries ceded by the Infant, his father, and in consequence of a treaty which had been previously concluded between his Catholic majesty and the French republic.

II. The Prince of Parma shall repair to Florence where he shall be acknowledged as sovereign of all the possessions appertaining to the Grand Duchy, and shall receive from the hands of the constituted authorities, the keys of the forts and the oath of fidelity which they owe him in his character of sovereign.

The authority of the first consul will contribute to the peaceable execution of these acts.

III. The Prince shall be acknowledged King of Tuscany, with all the honors appertaining to his rank; the first consul will acknowledge and will have him treated as such by the other powers. The arrangements necessary for this purpose shall be made previous to his taking possession.

Art. IV. That part of the Isle of Elbe which belongs to Tuscany, and is dependent on that state, shall remain in the power of the French republic, and the first consul shall give as an indemnity for it, to the king of Tuscany, the country of Piombino, which appertains to the king of Naples.

V. As this treaty derives its origin from that which has been concluded by the first consul with his Catholic majesty, by which the king cedes to France the possession of Louisiana, the contracting parties agree to execute the articles of the anterior treaty; and to employ their respective power in the adjustment of the differences therein mentioned.

VI. As the new house, which is thus established in Tuscany, is of the family of Spain, these states shall be forever the property of Spain, and there shall be called to the throne an Infant of that family. If the reigning king or his children shall not have heirs, the sons of the reigning king of Spain shall succeed to these estates.

VII. The first consul, and his Catholic majesty, agree to obtain for the reigning Duke of Parma, in consideration of the renunciation he has made in favour of his son, just indemnities, either in possessions or revenues.

VIII. The present treaty shall be ratified and exchanged in three weeks.

[Signed]

LUCIEN BUONAPARTE.
PRINCE OF PEACE.

☞ The sale of NEGROES belonging to the late Francis Lockett, dec. advertised in the last page of this paper to take place on Thursday the 15th of April, is POSTPONED until the Saturday following, (the 17th ult.) when it will certainly take place.

March 30th, 1802.

RICHMOND, March 25, 1802.

MY CLIENTS in the Henrico District Court will address their communications to myself, or my son Mr. PEYTON RANDOLPH, who has commenced the Practice of the Law. We shall unite in any business depending there, in which either of us may be employed.

EDM: RANDOLPH.

Young Dare-Devil,

Will stand the ensuing season at Cary's-Brook, and cover mares at the moderate price of Twelve Dollars the season, and Five Dollars the leap, or Sixteen Dollars to insure a foal, and in either case a Quarter of a Dollar to the Groom; the Twelve Dollars may be discharged by the payment of Ten Dollars by the first of August, at which time the season will expire. The season will commence on the 25th day of March. Good and extensive pasturage, *gratis*, but no responsibility for escapes or accidents.

YOUNG DARE-DEVIL is a beautiful bay, full 5 feet 3 inches high, fine large bone and sinew, possessing great strength and activity, now rising 4 years old: He was got by Stark's imported Old Dare-Devil, his dam by a well bred Wild-Air horse, his grandam Patsy, was got by Col. William Diggs's bay horse, his great grandam by Braxton's Trial, his great, great grandam by Morton's Old Traveller; Col. Diggs's horse was got by Sandy Point Bolton, his dam by Valiant, his grandam by Silver Eye. Braxton's Trial was bred by the late Wm. Bird, esq. and was got by his Old Trial, his dam by the late President Nelson's Old Spanish Barb.

THOMAS WILLS,
For WILSON M. CARY.

Fluvanna, March 25, 1802. 12w2w.

Manchester Turnpike Company.

Notice is Hereby Given,

THAT the Stockholders to the said Company are requested to attend at Mr. *Zachariah Brooks'* Tavern in this place on Saturday the 1st of May next, at 11 o'clock, to choose five Directors agreeable to law.

THE MANAGERS.

Manchester, March 24, 1802. 4w.

By virtue of two deeds of trust executed to the subscriber by William Mead, will be exposed to sale, at public auction, for ready money, on the premises, for the purpose of discharging a debt due to Thomas Goodwin, Esq. of Fredericksburg, and a debt due to Mr. Joseph Saunidge of Louisa; on Saturday the 27th day of March next, the

Tract of Land,

WHEREON the said Mead now resides, on Contrary River, in Louisa county, containing 216 acres, more or less and is adjoining the lands of George and Joseph Boxley, Wafer Lewis, William Kimbrough, John Burris, John Gibson and Daniel Todd.

SAMUEL OVERTON, jun. *Trustee.*

Louisa county, Feb. 8, 1802. tds.

The famous and complete Horse

STIRLING,

(Never beaten but once, and then by accident)

WAS imported from London by the subscriber, and extraordinary to relate, he won a king's plate at 4 years old, and another at five. He was considered while running, by Mr. Weatherby, the author of the Racing Calendar, and clerk of the course at New-Market, (as will appear by a letter from that gentleman) to be, if not the first, undoubtedly the second horse in England. The celebrated horse Hambletonian, (supposed by fame to be his superior, and the first horse then on the British turf) paid him a forfeit of 300 guineas, on a match over the Beacon course, (4 miles, one furlong and one hundred and thirty eight yards) for 1000 guineas; Stirling was among the best racers that ever appeared in England, having won eleven races out of twelve, and when beaten, was undoubtedly the best horse that started, as he ran considerably off the course, and even then came in third.

STIRLING is a most beautiful bay horse, and descended from the best stock in England, as will appear from his pedigree below: he is upwards of fifteen hands and an half, in very high form, extremely gay, with great strength and activity, and is a most capital stallion. Perhaps it may not be unfit to observe, that Stirling's racing was generally four miles, and with the best horses then on the turf; and in order to prove him a horse of great speed, I beg leave to refer the gentlemen of the turf to the 6th volume of the Sporting Magazine, page 302 and 303, where speaking of the velocity of the Barb horses, and comparing them with the English horses, the following extract follows in page 303: 'It is accordingly said, that the famous running horse Stirling, sometimes ran the first mile [of the New-Market course] in one minute, which is at the rate of 82 feet and an half in a second, an inconceivable swiftness, even supposing it a little exaggerated, as is probable it was; but for further satisfaction, we find it confirmed by Dr. Maty. If such a velocity had continued some seconds, it might have been fairly pronounced, that the horse went swifter than the wind, it being very seldom the most violent wind makes such way. The greatest known velocity of a ship at sea is six marine leagues in an hour, and supposing the ship to take the third of the velocity of the wind which impressed it, the speed of that wind would not amount to 80 feet in one second." The subscriber does not pretend to say but the above account may be exaggerated, yet from a fair construction of the extract taken from the Sporting Magazine, he concludes that Stirling was selected as the fleetest horse in England, to compare his speed with that of the Barb horses.

In 1794, Stirling, then three years old, won a match of 100 guineas each, at Alcot, beating Mr. Crosby's Victor, [this was the first time he started.] He afterwards won at Egham, the Magna Charta stakes of 20 guineas each, 15 subscribers, beating with ease Mr. Durand's Play-or-Pay, and three others. In 1795, when the property of E. H. Delme, esq. he won a sub. plate at New-Market, Duke's Course, four miles, beating Lord Strathmore's Horatio, Lord Grosvenor's Lilliput, and Mr. Gardiner's Bishop Blaze. He won the Jockey Club plate for four years old, [Round Course] four miles, beating the Duke of Grafton's Minion, Lord Clermont's Repeator, and Lord Grosvenor's Capricum. He received forfeit of 75 guineas from Mr. Rutten's filly at Epsom, and won the king's plate at Ipswich. In 1796 he won at New-Market the second class of the Oatland stakes, beating Mr. Wilson's Caustic, Lord Grosvenor's bay colt by Potfos out of String, Mr. Bott's Totteridge, the Duke of Bedford's Brass, Lord Egremont's Fractious, and Lord Darlington's Albourne. He afterwards ran with the winners of the other two classes, for the main of the Oatlands, which he also won, beating Lord Fitchfield's Vivet, and Lord Grosvenor's Lilliput. The same year he won the king's plate at Burford, beating Mr. Bott's Totteridge. In 1797, Stirling beat Lord Sackville's Kitear a match at New-Market for 300 guineas each; received forfeit from sir Henry Vane Tempest's Hambletonian, in a match over the Beacon course for 1000 guineas, half forfeit; won a sweepstakes of 100 guineas each, [seven subscribers] beating Lord Darlington's St. George, and others, Duke's Course, [four miles.] He was lamed before his next engagement, and has not started since.

The above horse will stand the ensuing season, [which will commence on the first day of March next, and end the first day August following] at the Bowling Green, and will cover mares at Three Guineas the leap, to be paid at the stable door, or or Six Guineas the season, and Ten Guineas to insure a mare to be with foal, with One Dollar to the Groom, the money in every instance to be paid before the mares are removed. Good pasturage, GRATIS, with an addition of 600 acres, to what the subscriber had last year; servants who attend their mares will be boarded at 10/6 a week, which expence it is recommended to gentlemen to save, as they may be assured they are of but little use. Grain will be furnished at the market price, for which the money must be sent, and the greatest attention will be paid to the mares, but no responsibility for accidents or escapes. Notes for Six Guineas the season, and for Ten Guineas to insure, will be expected with the mares.

JOHN HOOMES.

Bowling-Green, Feb. 1st, 1802. law12w.

PEDIGREE.

I hereby certify, that STIRLING was bred by me, and was got by Volunteer, [one of the best sons of Eclipse] his dam Harriet by Highflyer, his grand dam by Young Cade; his great grand dam Childerkin by Second, out of the dam of Old Snap; she was got by Fox, her dam Gipsey, by Bay Bolton, grand dam by the Duke of Newcastle's Turk, Byerly Turk, Tafolet, Barb, Place's White Turk, out of a natural Barb mare.

THOMAS STIRLING.

The celebrated running Horse

Cormorant,

Will stand the ensuing season at the Bowling Green, to cover fifty Mares only, besides a part of his owner's at TEN POUNDS each, and One Dollar to the Groom. With this condition, if the money is paid by the 10th of August next, any mare failing to prove with foal, may go the next season, *gratis*; and should the death or removal of the horse prevent a colt then, the money shall be returned, provided the mare remains the property of the person who put her to horse. The sooner gentlemen engage their mares the better, as not a single one over the above number will be taken in. CORMORANT was a winner 19 times against the best horses in England, has been frequently advertised and a full account of his racing given; suffice it *now* to say, that he is in high health and condition; that a very great proportion of the mares covered by him last season are in foal, and those that failed [if any] may be sent again this season, *gratis*, if the owners of such, who have not paid me, will do it by the 1st of May next: those that have paid are entitled. CORMORANT has been a capital racer, is a very beautiful horse, has more of the true Arabian blood than any horse in America, and his stock are remarkably handsome and active. If gentlemen prefer it, their mares may be covered at Five Guineas the season, without any condition.

JOHN HOOMES.

Bowling-Green, Feb. 1, 1802.

PEDIGREE.

"I do certify, that CORMORANT was bred by me, and got by Woodpecker; his dam Nettletop, by Squirril, his grandam by Bajazet; great grandam by Regulus; great, great grandam by Lonsdale's Arabian; his great, great, great grandam by Darley's Arabian; his great, great, great, great grandam by the Byerly Turk; his great, great, great, great, great grandam by the Tafolet Barb; his great, great, great, great, great grandam by Place's White Turk, out of a natural Barb mare.

"The above is so valuable a horse, both on account of his speed and blood [which is the best in England] that I am sorry he is about to leave the country.

[1aw12] "EGREMONT."

The celebrated running Horse

CLIFDEN,

Imported from England by Dr. William Thornton, one of the Commissioners of Washington,

WILL stand the ensuing season, which will commence the 10th of March, and expire the 10th of August, at the Laurel Meadows in Chesterfield, about five miles from Manchester, at Twenty-Five Dollars the season, (but Twenty Dollars will be received in full discharge thereof, if paid within the season) and Half a Dollar to the Groom. Good and extensive pasturage, and the board of boys sent with Mares GRATIS; but I will not be liable for escapes or accidents. Those who will have their Mares fed, will be furnished with grain at the market price, in quantity as directed, for which the money must be sent. Notes will be expected with the Mares.

CLIFDEN is a horse of very fine form, inviting beauty, and uncommon strength; he is full fifteen and a half hands high, of a fine blood bay; his prodigious powers will be best known by exhibiting his performances. He is a very sure foal getter, and his colts are thought equal to any on the continent.

David Patteson.

March 10th, 1802.

CLIFDEN was bred by the Earl of Derby, and sold to Sir John Lade for 500 Guineas, untried; he is from the very best running stock in England, having descended on both sides from Old Matchem, which covered at 50 Guineas a mare for the nine last years of his life, and 25 mares by subscription. In 1792, at 5 years old, he won ten times, and was not equalled (Mr. Wilson's Buzzard excepted) in the years 1792, 3, 4 & 5, as appears by the Racing Calenders for those years.

eo5w WM. THORNTON.

Sales at Vendue,

By PROSSER & MONCURE.

On Monday the 3d day of May next, (the day preceding the Richmond Races,) at 11 o'Clock, A. M. on the premises, viz:

ONE SQUARE, of four half Acre Lots, on one of which are erected, the most convenient and desirable BUILDINGS in this city—the present residence of the subscriber.

Five other Lots between the Bason and the River, severally improved, viz: A two story dwelling house, with stables, garden, and offices complete.

Another comfortable dwelling House; Stables, Garden and Offices, as above.

Another smaller detached dwelling house, with garden only.

A Store-House, now under rent for 150 dollars per annum; and the fifth, containing only a small stable for three horses, and carriage house.

With the view of affording a better estimate of this very valuable property, farther information may be gained upon application to the Auctioneers.

The terms of sale will be, one fifth paid down, or on a credit of 60 days; the balance in four equal semi annual instalments satisfactorily secured; on interest from the date, if not punctually paid.

Possession, and a clear legal title, will be given, to the entire accommodation of the parties concerned.

D. M. RANDOLPH.

Richmond, Feb. 12, 1802. colds.

VIRGINIA:

In the High Court of Chancery.

BETWEEN

Thomas R. Rootes, Plaintiff.

AND

Samuel Gist, John Anderson, and William Fowke, executors of William Anderson, dec. executors of Samuel Temple, deceased, and Peter Lyons, Defendants.

THE defendants Samuel Gist, John Anderson, and William Fowke, who are out of this country, and against whom the plaintiff appears to have proceeded in the mode prescribed by law in such cases, not having entered their appearance, and given security to perform the decree, the court this 17th day of March, in the year of our Lord, one thousand eight hundred and one, upon the motion of the plaintiff, doth take his bill for confessed as to those defendants and refer the accounts of their testators, administration and management of the estate of Joseph Smith, dec'd. to one of the commissioners of the court to be by him examined, stated, settled, and to the court reported, with any matter specially stated, thought pertinent by himself, or required by the parties to be so stated.

(A Copy)

Teste,

Peter Tinsley, c. c.

COMMISSIONER'S OFFICE,

Richmond, March 17, 1802.

The parties concerned are desired to take notice, that I have appointed Monday the seventeenth day of May next, for carrying into effect the foregoing decretal order, upon which day their attendance is required at my Office, with their papers and accounts ready for examination.

William Hay, M. C.

SPORTS OF THE TURF!

NEW-MARKET.

In consequence of the elections in the different counties in this state coming on the 27th day of April, at which time the New-Market Races are advertised, and from a desire of many gentlemen of the turf also, I am compelled to alter the same to the third Wednesday in May, at which time they will certainly commence, agreeable to the former tenor, viz:

FIRST day, a Sweepstakes, by three year old colts and fillies, carrying each 86lbs. two mile heats, entrance One Hundred Dollars, half forfeit. This subscription will be kept open until the 15th day of April, and no longer. Entrance to be made by letter or personal application to the subscriber. Should more than [illegible], the entrance money of the second best will be returned.

Second day, a purse of 400 dollars will be run for, four mile heats, entrance 30 dollars. Weights as heretofore established.

Third day, a purse of 200 dollars will be run for, two mile heats, entrance 15 dollars.

And the fourth day, a Sweepstakes, by three and four years old colts and fillies, the former carrying 86lb. and the latter 100lb. two mile heats, entrance 100 dollars. This subscription will be closed the evening of the third day's race; and if five or more nags start, the entrance money of the second best will be returned.

Good stables and litter furnished for race horses GRATIS.

STIRLING GARY,

Keeper of the Course.

February 14, 1802.

THE Subscriber having taken the above Course for two years, has furnished himself with good beds, as well as stables, together with ostlers and servants of a proper description; also, liquors of a superior quality. He flatters himself from his experience, and a desire to please, in the above business, to give general and complete satisfaction.

KNOWSLEY,

The most elegant and high formed English Horse, 15 hands 3 inches high, a fine bay, 6 years old last May, in great perfection, and as to muscular strength and beauty not inferior to any horse in the state, which will be readily acknowledged by those who will take a fair and impartial examination of him, full of vigour, and entirely clear of blemish—will stand at my stable on *Sandy Point* the present season; and will cover Mares at SIX GUINEAS, which may be discharged by the payment of TWENTY DOLLARS on or before the 10th day of August next: TEN GUINEAS to insure a colt, and THREE by the Leap, with One Dollar to the Groom at the stable door for each Mare. Mares may be fed at the market price of grain, in manner and quantity directed by the proprietors: Servants will be boarded without charge, and pasturage supplied *gratis*, equal in extent and goodness (if not superior) to any in the commonwealth, and laid out in different apartments, so as to suit Mares in foal, those that have foals, and all others. Here gentlemen will find it greatly to their interest to avail themselves of such advantages, independent of the high consideration of raising horses from so fine a stock. This horse has cost me on landing in this country upwards of seven hundred pounds sterling, which can be seen by reference to papers in my hands; and even at this price it was with difficulty he could be obtained, for my agent, a gentleman of great veracity, writes me he could have sold him for 170 Guineas more than the original purchase, which evidently proves the high estimation he was in.

Pedigree, given by Lord Derby in the following words, viz. "I do hereby certify, "that the bay horse called KNOWS-"LEY, late the property of the Prince "of Wales, was bred by me. He was "got by Sir Peter Teazle, out of Capel-"la, and was six years old last May, and "no more.

(Signed) "DERBY. [Seal.]

"Knowsley, June 15, 1801."

CAPELLA was bred by general Parker, foaled in 1773, and got by Herod—See General Stud Book, page 40. Sir Peter Teazle was got by Highflyer, in 1784—See same book, page 182. Highflyer was got by Herod—See page 201—And so on he may be traced through a noble line of ancestors for ages past, without a single flaw in his genealogy, either on the male or female side.

This extraordinary horse ran often with great credit at two years old, and at three proved successful; and so continued until the last of the year 1800. In 1801 he was purchased for me, and sent to Virginia.—In 1798 he won a sweepstakes of 20 guineas each, for three year olds, 8 subscribers, once round the ground, beating Mr. Pierce's b. c. by Walnut, Sir H.T. Vane's Push forward, Sir H. Williamson's Stripling, Mr. Fletcher's g. c. Camperdown, Mr. G. Crompton's c. Basso, and Lord A. Hambilton's b. g. by Spadille, out of Snow Drop. See Calendar for 1798. He also won the Members' Plate of 50 guineas for three and four year olds, beating Lord Derby's four year old colt by Diomed, five to one on Knowsley, who was then Mr. Field's property. See Calendar for 1798. He also won a sweepstake for three year olds, beating Mr. Garforth's b. c. by Spadille, and Lord A. Hamilton's b. c. by Spadille. See Calender for 1799.

In May, 1799, York. On Tuesday May 28, a sweepstakes of 20 guineas each, (7 subscribers) then the property of Mr. Walker, was won by Knowsley, beating Lord Fitzwilliam's ch. h. Wonder, five years old, Lord Hamilton's ch. h. by Walnut, Sir Thomas Gascoigne's Maid of the Mill, and John Robinson's b. c. Abraham Newland. On Thursday the 30th following, he also won the Stand Plate, of 50 guineas, for four year olds, beating Lord A. Hamilton's b. c. by Spadille, Mr. Garforth's mare Caroline, 6 years old. Lord Belhaven's ch. h. Master Robert; 6 years old, Mr Wentforth's Barnaby, and Mr. J. Anson's gr. h. Little Scot, 5 years old.—See Calender for 1799.

IN June, 1800, (Guildford) the Prince of Wales owned him, and won the King's Plate for 4 year olds, of 100 guineas—10 stone 4 lbs. four mile heats, and beat Lord Donegall's b. h. by Pot 8 o's.—See Calendar for 1800, page 35.

Winchester, July 8. His Majesty's Plate of 100 guineas was run for and won by Knowsley, beating Lord Donegall's b. h. by Pot 8 o's, 5 years old, and Sir F. Evelyn's, b. h. Asparagus, 5 years old, 6 to 4 on Knowsley.

Lewes, August 12, 1800. The King's Plate of 100 guineas, four mile heats, was one by Knowsley, beating Lord Donegall's ch. c. Flugleman; four to one on Knowsley. Thursday following he one a subscription of 10 guineas each, beating Mr. Durand's Bellissima, and Mr. Ladbroke's Humbug. See Calendar for 1800—78 & 79.

Litchfield, on Thursday September 9, he won the King's Plate of 100 guineas, three mile heats, for 5 year olds, carrying 8 stone 7lbs. beating Mr. Heming's b. h. Ploro, ten to one on Knowsley.

Notwithstanding these evidences of Knowsley's superior worth, yet it is my wish that gentlemen should be still further satisfied by a personal view of him; it is also my desire that those who are inclined to speak and act candidly, would visit me in the Spring, and take a ride over the pastures, that they may be satisfied that nothing here asserted is exaggerated.

WILLIAM LIGHTFOOT.

February 1, 1802.

N. B. I will not be answerable for involuntary escapes or accidents.

THIRD NOTICE,

In the case of JOHN CARTER,

BANKRUPT.

WHEREAS a commission of bankrupt founded upon the statute of the Congress of the United States, passed the fourth day of April, in the year one thousand eight hundred, entituled, "An Act "to establish an uniform System of Bankruptcy throughout the United States," has been awarded and issued against *John Carter*, of Pittsylvania county, in the district of Virginia, *Merchant*, and he has been declared *Bankrupt*: and he is hereby required to surrender himself to the commissioners in the said commission named, or the major part of them, on the third and thirty-first days of March, and on the third day of April, next ensuing, at eleven of the Clock in the forenoon of each day, at the office of the *Undersigned*, lower end of Bollingbrook-street, in the town of Petersburg, and make a full and true discovery and disclosure of his estate, real and personal, of every nature and description, to which he may be entitled either in law or equity, when and where his creditors are to come; prepared to prove their debts, at the second meeting to choose assignees, and at the last meeting the said Bankrupt is required to finish his examination.

All persons indebted to the said Bankrupt, or who have any of his effects, are not to pay or deliver the same, but to whom the commissioners shall appoint.

CONRADE WEBB,

Solicitor to the Commission.

Commissioner's Office, Petersburg, 20th February, 1802. } tAp.3

TO COVER,

The ensuing season at my stable at Charlottesville in the county of Albemarle,

THE HIGH BRED

English Stallion,

HAMILTON,

A blood bay, elegantly formed, near sixteen hands high, eight years old last May;

WILL be let to mares at Twenty Dollars the season, and Forty Dollars to insure a mare's being with foal, for either notes will be expected with the mares payable on the 1st of January next. Ten Dollars cash the single leap, and in every instance Half a Dollar cash to be paid to the Groom. The season will commence the 15th of March, and end the 15th of August.

Cornelius Schenk.

February 22d, 1802.

PEDIGREE.

"This is to certify that the Bay Colt "was got by Highflyer, dam by Eclipse, "from Young Cade, which was the dam "of Vauxhall (bred by Mr. Tattersall) and "bought at Lord Grosvenor's sale, 18th "May, 1795, then two years old."

(Signed)

"GROSVENOR. [Seal.]"

"31st January, 1797.

PEDIGREE CONTINUED.

"His great grand dam by the Bolton "Little John, great, great grand dam by "Mr. Durham's Favourite, by a son of the "Bald Galloway, great, great, great "grand dam, (the dam of Lord Portmore's "Daffodil) by a foreign horse belonging to Sir Thomas Gascoigne."

"Signed JUNIUS BAKER."

"N. B. The Cade mare, the dam of "Vauxhall, was also the dam of Dul-"cinea, Mambrino, Cervantes and San-"cho, all first runners."—The foregoing is a copy of the original pedigree in my possession, which came over with the Bay Colt, now called Hamilton.

Thomas Wilson.

Richmond, Feb. 22, 1802. ep6t

By virtue of a decree of the worshipful court of New-Kent County, will be sold to the highest bidder, on a credit of twelve months, at New-Kent Court House, on the second Thursday in April next, being Court day,

A Tract of Land,

Belonging to the estate of John Morris, dec'd. about two miles from the said Court house, containing one hundred & fifty acres, more or less, and subject to the Widow's Dower, which will be allotted her, before the day of sale. Separate Bonds, with approved security, will be required of the purchaser, by

The Commissioners.

March 2d, 1802.

A FEW COPIES OF

Henning's Justice,

May be had at this Office, and of Mr. Pumfrey, Book-Binder and Stationer.